

UNITED STATES DISTRICT COURT
District of Massachusetts

Case Number 04-12485 RWZ

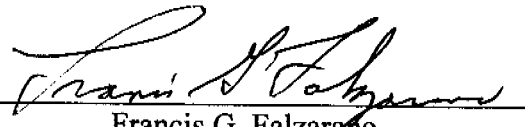
Francis G. Falzarano)
D/B/A North Hill Construction Co.)
Plaintiff)
)
v.)
)
Medford Housing Authority)
Defendant)

PLAINTIFF'S MOTION FOR LEAVE TO AMEND COMPLAINT

The Plaintiff, Francis G. Falzarano, moves the Court as follows:

1. The contract with the Medford Housing Authority was funded by HUD, which is a Federal Agency. The project bid documents and contract documents in the invitation to bid (approximately 60 pages) are all HUD documents. The form of contract in the specifications is a HUD form.
2. The contract that was executed by the Medford Housing Authority is a Commonwealth of Massachusetts form from the Department of Housing and Community Development. It does not correspond to the HUD specifications of the bid documents.
3. It states Article 7 Validation: This contract will not be valid until signed by the director of the Massachusetts Department of Housing and Community Development. My contract has never been signed and is void according to law.
4. The Medford Housing Authority and its director are hereby being charged with fraud. The director, who enjoys the rich culture of a lawyer, should have known better.
5. The illegal holding of my \$20,000 cash deposit, the loss of working capital, the inability to bid contracts because of the 5% bid deposit specifications require, the high interest rates that I am paying on my lines of credit will easily surpass the \$75,000. The state and federal governments are losing thousands of dollars each week in taxes because I have employed over 100 people on my payroll in the past.

Signed


Francis G. Falzarano

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